

**Approved BOARD MINUTES July 26, 2018**

The Village Board meeting was called to order at 8:00 am by Mayor Manicki, who led the pledge to the flag and welcomed those in attendance to the meeting.

**PRESENT:** Mayor Manicki, Trustees: Overhoff, Daluisio and Casell, Superintendent Sitzman, Clerk Galbraith, Attorney Trapp, CEO Czechowski, Dan Gniewecki, Legislator Brusos Office, Melissa Corcoran and Brett Sitzman

Absent – Trustee Warmus,

**MOTION** by Trustee Daluisio, seconded by Trustee Casell to approve the minutes of the July 12, 2018 meeting. Carried.

**MOTION** by Trustee Daluisio, seconded by Trustee Casell, to approve for payment bills on abstract dated July 26, 2018. Carried.

Payroll	\$43988.13
Abstract	\$32937.16

**MOTION** by Trustee Casell, seconded by Trustee Daluisio, to approve the following monthly reports for June: Planning Board and Erie County Sheriff. Carried

**COMMUNICATIONS:**

From Erie County: sales tax analysis, CDBG report, hazardous waste collection day and Stop DWI report. NYS: unemployment statement, CFA Initiative program, TAP Grant, CWSRF transcript of financing documents and NYCOM. RBC Wealth management. Alden Chamber of Commerce minutes, Grant Action Newsletter, Land bank zombie property notification. Solicitation from Ample Acreage to purchase village property. Town of Alden SEQR. KLW Appraisal for property on Broadway.

**MOTION** by Trustee Overhoff, seconded by Trustee Casell, to file as received all correspondence. Carried.

**RESOLUTIONS/APPOINTMENTS/REQUESTS/MOTIONS:**

Resolutions/Appointments/Requests/Motions for July 26, 2018,

**MOTION** by Trustee Casell, and seconded by Trustee Daluisio to change the morning meeting scheduled for August 23 at 8 am, back to work session 6:30 pm, Board meeting 7:30 pm. Carried.

**MOTION** by Trustee Daluisio and seconded by Trustee Casell, to approve the Fire/EMS calls for July 7--20, 2018. Carried.

**MOTION** by Trustee Casell and seconded by Trustee Overhoff, to approve the sign permit for Berried Treasures Gifts, 13226 Railroad Street, as per submitted application. Carried.

**MOTION** by Trustee Overhoff and seconded by Trustee Daluisio, to approve hiring Donna Taylor, Deputy Clerk/Treasurer for a probationary period of 3 months at \$15/hr., pending background check and drug/alcohol testing. Carried.

*On the question:* Superintendent Sitzman questioned if it was advertised? Mayor Manicki confirmed it was.

MOTION by Trustee Casell and seconded by Trustee Daluisio, to set public hearings for the proposed Local Laws as listed below, to be held at 7:45PM (and running concurrently thereafter) on Thursday, August 9, 2018.

Local Law #3-2018 Chapter 66, Animals  
Local Law #4-2018 Chapter 81, Unsafe Buildings  
Local Law #5-2018 Chapter 115, Historic Preservation  
Local Law #6-2018 Chapter 125, Licenses & Permits Carried.

MOTION by Trustee Daluisio and seconded by Trustee Overhoff, to set public hearings for the proposed Local Laws as listed below, to be held at 7:45 (and running concurrently thereafter) on Thursday, August 23, 2018.

Local Law #7-2018 Chapter 131, Mobile Home Parks  
Local Law #8-2018 Chapter 147, Peace & Good Order  
Local Law #9-2018 Chapter 165, Sewers  
Local Law #10-2018 Chapter 205, Water Service Carried.

*On the question* – Trustee Casell – what are the advertising requirements? Attorney Trapp needs to be advertised 10-30 days in advance, we do 2 weeks prior in the Advertiser.

*On the question:* Code Enforcement Officer – should I notify the parks? It is not part of the requirements, but have done at as a courtesy in the past, will contact them.

MOTION by Trustee Overhoff and seconded by Trustee Casell, to set public hearings for the proposed Local Laws as listed below, to be held at 7:45PM (and running concurrently thereafter) on Thursday, September 13, 2018.

Local Law #11-2018 Chapter 172, Solar Energy  
Local Law #12-2018 Chapter 196, Unmanned Aircraft  
Local Law #13-2018 Chapter 210, Zoning  
Local Law #14-2018 Chapter 170, Signs  
Local Law #15-2018 Chapter 210, Zoning Carried.

### **A Resolution for the Village of Alden, New York - Declaring Support and Intent of the Placement of Historic Route 20 Signage on the Village/State Maintained Road**

**WHEREAS**, U.S. Highway Route 20 was created in 1926 from Boston, MA to Yellowstone National Park, WY; and

**WHEREAS**, by 1943, U.S. Highway Route 20 was extended to Newport, OR – a distance of 3,365 miles; and

**WHEREAS**, U.S. Highway Route 20 extended 374 miles between New Lebanon and Ripley, New York; and

**WHEREAS**, U.S. Highway Route 6 was decommissioned in most of California in 1964, making U.S. Highway Route 20 the longest highway in the country; and

**WHEREAS**, Over the years, U.S. Highway Route 20 has conveyed commerce and pleasure travelers whose needs were met by nearby cities and counties; and

**WHEREAS**, though largely supplanted by the four lane New York State Thruway (I 90), the original alignments of U.S. Highway Route 20 remain, some are no longer identified as such; and

**WHEREAS**, U.S. Highway Route 20 served as the main street of many New York cities and towns along its length, these segments represent both state and local historic significance; and

**WHEREAS**, the Historic US Route 20 Association, Inc., is a nonprofit 501 (c)3 organization aimed to promote tourism and economic development along the original 1926 alignment of US Route 20; and

**WHEREAS**, The Historic Route 20 Association, Inc., provides historic route markers to act as a wayfinding tool to guide tourists and travelers on the 1926 alignment to a local agency; and

**WHEREAS**, Designation of a Historic Route also referred to as a NYS Scenic Byway and the permission of placement of historic markers on State Public Highways must come from the New York State Department of Transportation; and

**WHEREAS**, without formal designation, the history and contribution of these segments of U.S. Highway Route 20 to the development of the state would remain less known; and

**WHEREAS**, Recognition of these segments will foster the economic health and cultural preservation of small communities and towns located along the highway; and

**WHEREAS**, it is fitting that a means to designate these historic sections U.S. Highway Route 20 be established; now, therefore, be it

**RESOLVED** by the Village of Alden, New York, hereby recognizes the original 1926 segment of former U.S. Highway Route 20 in the Village of Alden, New York as *Historic Route 20 (New York)* for its historical significance and importance in the development of New York; and be it further

**RESOLVED**, the Village of Alden, New York commits to the permitting and placement of Historic Route 20 Markers within its borders, including the State DOT Highway; and be it further

**RESOLVED**, That the New York State Department of Transportation, upon receipt of this resolution by all interested local agencies along the original segment of U.S. Highway Route 20, to designate that section of highway as *Historic Route 20 (New York)*; and be it further

**RESOLVED**, That the local agency\* is responsible for the costs and placement of historic route markers on their sections or portions of former U.S. Highway Route 20 – unless stipulated by the New York State Department of Transportation to the local agency, and be it further

**RESOLVED** the Clerk of the Village of Alden, New York transmit copies of this resolution to the Historic US Route 20 Association and the requesting local agency.

**NOW, THEREFORE, BE IT HEREBY RESOLVED BY TRUSTEE CASELL AND SECONDED BY TRUSTEE DALUISIO, FOR THE Village of Alden in the state of NEW YORK** that we are in support of the recognition and designation of Historic Route 20 and the placement of Historic Route 20 Markers.

PASSED AND APPROVED this 26 of July, 2018

Roll Call Vote: Trustee Casell – aye  
Trustee Overhoff – aye  
Trustee Daluisio – aye  
Mayor Manicki – aye

*On the question* – the village will order 2 of the large signs and erect them at both entrances on Broadway.

The following resolution was offered by Trustee Daluisio, who moved its adoption, seconded by Trustee Overhoff:

To wit:

**WHEREAS**, Greg Willey/Willey Car Wash is requesting site plan approval for a car wash facility; and

**WHEREAS**, the site plan approval is classified as an Unlisted action and is subject to review within the requirements of the New York State Environmental Quality Review Act (SEQR); and

**WHEREAS**, pursuant to Article 8 of the Environmental Conservation Law, Willey Car Wash Development has prepared a short environmental assessment form, which is now on file with the Village of Alden, and may be reviewed at the Village offices, 13336 Broadway, Alden, New York 14004; and

WHEREAS, pursuant to the Law, the Village of Alden Board of Trustees assumes lead agency status;

NOW, THEREFORE, BE IT:

RESOLVED, that the Village of Alden Board of Trustees hereby assumes the role of lead agency for the purpose of determining what significance this project has on the environment, and be it further

RESOLVED, that the Village of Alden Board of Trustees, as Lead Agency, hereby determines that the proposed Unlisted actions, as described in the attached SEQR Negative Declaration, Notice of Determination of Non-Significance, which attached notice is hereby made part of this resolution, will not have a significant effect on the environment and that an environmental impact statement is not required to be prepared with respect to said proposed action. Carried.

**SEQR Negative Declaration  
Reasons Supporting Determination  
For: Willey Car Wash, 101 Slade Drive**

The proposed Car Wash Development reflects the use of land within the Village of Alden as recommended by the Village of Alden's Comprehensive Master Plan. The properties immediately west, north, and east of the subject property are in a C-1 Commercial Zoning District., which is the zoning that is identical to that of the subject property. The property to the immediate south of the subject property is in an R-C Residential/Commercial Zoning District, which is complimentary to that of a C-1 Commercial Zoning District. Additional requirements have been placed on the development to address buffering with neighboring properties to further mitigate any possible concerns of impact on neighboring properties in that area of the Village of Alden.

The Village of Alden Board of Trustees decided that no potential moderate to large impacts could occur related to changes in use and intensity of use.

Therefore, the Village of Alden Board of Trustees has determined that there is likely to be no adverse environmental impacts relating to this project.

Considering there are no indicators of significant effect on the environment and these changes are consistent with the Village of Alden's Comprehensive Master Plan, a negative declaration is declared.

MOTION by Trustee Casell and seconded by Trustee Daluisio, to approve the formal site plan received June 7, 2018 for a car wash facility at 101 Slade Drive, by Greg Willey, with the following conditions:

- 1) If there are any complaints regarding exterior illumination of the site within one year of the date of issuance of the final Certificate of Occupancy for the property, the property owner must mitigate the complaints to the satisfaction of the Village of Alden.
- 2) If there are any complaints regarding buffering of the site adjacent to the residential properties within one year of the date of issuance of the final Certificate of Occupancy for the property, the property owner must mitigate the complaints to the satisfaction of the Village of Alden.

- 3) As provided for in Section 210-27F(H) of the Code of the Village of Alden, the Village Board of Trustees hereby grants a waiver to the applicant to provide one (1) designated parking space on the site, as data has been submitted showing that the additional spaces required based on the square footage of the structure are unnecessary. Carried.

**BUSINESS FROM FLOOR-**

Dan Gniewecki, Legislator Bruso's Office – since putting a for sale sign on the Erie county Home 4-5 offers have been received, Alden Economic Development being one of them. Legislator Bruso was on Channel 2, 7/25 on the issue. Will send a flyer on upcoming job fair.

Melissa Corcoran – New 2 You, approached the board questioning their recent recommendations on fencing and lighting. Will put shields on lighting, no problem. Airing complaints of Irving St. residents located north of the store, concerning headlights shining in their houses, so a fence was recommended. It was recommended the fence span the property behind the retention pond and outlining the northern portion of the parking lot. This would interfere with snow removal and visual issues as well as block the natural buffer. Putting the fence along the property line would cause even more problems with drainage and no help blocking headlights, as there is a height deviation issue. The decision was made that a 7' fence be installed behind the berm of the retention pond only. The CEO will send letters to the Irving St. residents.

Brett Sitzman – 1411 Exchange St. Opened a business in 2009 on the same lot a residential unit is located. (It replaced a prior business). At that time he was charged a single O&M and Capital fee. In 2010 the Capital and O&M fees were double as it was evaluated as a 2 unit parcel. Since then his tenant has been paying the water/sewer bill and the additional charge undenounced to her or Brett. The tenant would now like to be reimbursed for her added expense. Brett feels he should not be charged double, as the building and rental only have 1.5 bathrooms combined and his business only uses less than 10 gallons a day on average and there is only one meter. It was pointed out several other resident that only have 1 meter get double capital charges. The old section of Alden Village Estates has 45 trailers on one meter, but pay 45 capital charges. The fees are assessed to all to cover capital improvement costs. The board will table until more information can be obtained.

**REPORTS FROM COMMITTEES/DEPARTMENTS:**

**Superintendent Sitzman – WWTP** progressing, 3-4 weeks, met with Buffalo Solar Solutions for V. Hall, DPW and STP, to utilize proposed grant. Talking with engineer on Birch Creek drainage options. Sidewalk bid option early August. Water levels ok for now. Nussbaumer and Clarke presentation on the Street Scape project directly following

**CEO Czechowski** – reviewed Wiley car wash site plan with the board.

**Attorney Trapp** – will address the 2008 agreement with Walter Schmidt concerning his obligation to build sidewalks on the east side of Slade Dr.

**Trustee Overhoff** – crossing guard uniforms? Mayor Manicki will talk to them. Garbage Bids? Mayor Manicki will review and readdressed.

**Trustee Casell** – grant for bike path with town? Mayor Manicki will contact the Supervisor and discuss it.

**Mayor Manicki** –we have money left in the Mechanic St. project, would like to use it to pay off some of the BAN. Board agrees. We will need a new ZBA member term to expire-2021. 7/29 Alden Car Show... Thank you to Karen Muchow our Village Historian for all the research she did on the photos in the hallway. Thank you to Sue Lorenzi for the engraved plaques to describe the old tyme photos.

**UNFINISHED AND TABLED BUSINESS:**

Sesquicentennial

Crossing guard uniforms

**ADJOURNMENT**

Motion by Trustee Daluisio, seconded by Trustee Overhoff to adjourn, the regular meeting at 9:30 am. Carried.

I respectfully submit

Sue Galbraith,  
Village Clerk